

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

In re:

FISHMAN CONSULTING GROUP, LLC,
Plaintiff,

v.

MICHAEL AND ROBIN KALFUS,
Defendants.

Case No. 18-13396 (VFP)

Adv. Pro. No. 18-01255 (VFP)

Chapter: 7

Judge: Honorable Vincent F. Papalia

NOTICE OF PROPOSED COMPROMISE or SETTLEMENT OF CONTROVERSY

Fishman Consulting Group, LLC, plaintiff, and Michael and Robin Kalfus, defendants, propose to settle a claim and/or action as described below. If you object to the settlement or compromise, you must file a written objection with the Clerk of the United States Bankruptcy Court and serve it on the person named below not later than seven (7) days before the hearing date.

Address of the Clerk:

Clerk, United States Bankruptcy Court
Martin Luther King, Jr. Federal Building
50 Walnut Street
Newark, NJ 07102

If an objection is filed, a hearing will be held before the Honorable Vincent F. Papalia on _____, 2019, at 10:00 a.m., at the United States Bankruptcy Court, Martin Luther King, Jr. Federal Building, 50 Walnut Street, Newark, New Jersey 07102 (hearing date must be at least 28 days from the date of this notice). If no objection is filed, the Clerk will enter a Certification of No Objection, and the settlement may be completed as proposed.

NATURE OF ACTION:

On May 24, 2018, Fishman Consulting Group, LLC ("Plaintiff"), filed a nondischargeability complaint, Adv. Pro. No. 18-01255 (VFP) (the "Adversary Proceeding"), against Michael and Robin Kalfus ("Defendants").

PERTINENT TERMS OF SETTLEMENT:

Plaintiff and Defendants have settled the Adversary Proceeding on the following terms and conditions:

1. Defendants shall pay Plaintiff \$46,605 (the "Total Settlement Amount"), payable in 39 monthly installments of \$1,195 commencing June 1, 2019. Defendants shall make all payments in either certified funds, money order, or by ACH payments.
2. Plaintiff shall have a consent judgment, jointly and severally, against Defendants for the Total Settlement Amount (the "Consent Judgment).
3. Pursuant to 11 U.S.C. § 523, the Consent Judgment shall be exempt from any discharge that may be granted to the Defendants in their bankruptcy case.
4. Defendants agree that the Consent Judgment shall have a "snapback provision," meaning that the Consent Judgment shall increase to \$101,845 upon an uncured default, less any payments previously made by Defendants. Defendants shall have a 15-day cure period, with a one-time 30-day cure period for any reason.
5. The Consent Judgment shall be enforceable in the United States District Court, the Superior Court of New Jersey, or in any other court with jurisdiction over Defendants and their property.
6. Plaintiff shall forbear upon execution of the Consent Judgment while the Defendants are not in default.
7. There shall be no prepayment penalty.

Objections must be served on and requests for additional information directed to:

Name: /s/ Anthony Sodono, III, Attorneys for Defendants

Address: McManimon, Scotland & Baumann, LLC
75 Livingston Avenue, Suite 201, Roseland, NJ 07068

Telephone No: (973) 622-1800

Dated: January 17, 2019

Imaged Certificate of Notice Page 2 of 4

United States Bankruptcy Court
District of New JerseyIn re:
Michael Kalfus
Robin Kalfus
DebtorsCase No. 18-13396-VFP
Chapter 7

CERTIFICATE OF NOTICE

District/off: 0312-2

User: admin
Form ID: pdf905Page 1 of 3
Total Noticed: 85

Date Rcvd: Jan 18, 2019

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jan 20, 2019.

db/jdb aty +Michael Kalfus, Robin Kalfus, 7 Lakeview Terrace, Montville, NJ 07045-9158
+Forrest Turkish, c/o Forrest S. Turkish, Esq., 595 Broadway, Ground Floor, Bayonne, NJ 07002, U.S. 07002-8808

aty +Mellinger, Sanders & Kartzman, LLC, 101 Gibtaltar Drive, Suite 2F, Morris Plains, NJ 07950-1287

cr +Haven Savings Bank, 621 Washington Street, Hoboken, NJ 07030-4907
r +Keller Williams Metropolitan, Keller Williams Metropolitan, 55 Madison Avenue, Morristown, NJ 07960-7321

cr ++++LAKELAND BANK, C/O LECLAIRRYAN, P.C., ATTN.: WILLIAM L. WALDMAN, 1 RIVERFRONT PLZ STE 16, NEWARK NJ 07102-5436
(address filed with court: Lakeland Bank, c/o LeClairRyan, P.C., Attn.: William L. Waldman, 1037 Raymond Blvd., 16th Floor, Newark, NJ 07102)

acc Petrucelli Piotrowski & Co, Inc., Petrucelli, Piotrowski & Co, Inc., 236 Main Street, Woodbridge, NJ 07095

intp +The County of Morris, Morris County Sheriff's Offi, c/o Riker Danzig, One Speedwell Avenue, Morristown, NJ 07960-6838

517344689 1st Constitution Bk, 796 Rt 130 N, Cranbury, NJ 08512

517344691 +Albert Kenney, 3 Leach Hollow Road, Sherman, CT 06784-2302

517818038 American Express, PO Box 1270, Newark, NJ 07101-1270

517385072 American Express Centurion Bank, c/o Becket and Lee LLP, PO Box 3001, Malvern PA 19355-0701

517435133 American Express National Bank, c/o Becket and Lee LLP, PO Box 3001, Malvern PA 19355-0701

517344692 +Amex, Correspondence, Po Box 981540, El Paso, TX 79998-1540

517344693 +Attorney General, US Dept. of Justice, Ben Franklin Station, PO Box 683, Washington, DC 20044-0683

517593065 +CVF III Mortgage Loan Trust II c/o Shellpoint Mort, PO Box 10826, Greenville SC 29603-0826

517810195 +Chase Bank USA, N.A., PO Box 15368, Wilmington, DE 19850-5368

517344697 +Chase Card Services, Attn: Correspondence Dept, Po Box 15298, Wilmington, DE 19850-5298

517344696 +Chase Card Services, Attn: Correspondence, Po Box 15278, Wilmington, DE 19850-5278

517818039 +Direct TV, 4515 N Santa Fe Ave, Oklahoma City, OK 73118-7901

517344698 +Dixon Bros, 100 Pocono Road, Mountain Lakes, NJ 07046-1649

517382446 +Dixon Bros. A & A oil Propane, Ralph A, Grieco Esquire, 758 Morris Tpke, PO Bxo 505, Short Hills, NJ 07078-0505

517344699 +Dixon Oil, 100 Pocono Road, Mountain Lakes, NJ 07046-1649

517344700 +Fein, Such, Kahn & Shepard, 7 Century Dive, Ste. 201, Parsippany, NJ 07054-4673

517344701 +Feitlin, Youngman, Karas & Gerson, Heritage Plaza II, 65 Harristown Road, Suite 207, Glen Rock, NJ 07452-3317

517608773 +Feitlin, Youngman, Karas & Gerson, LLC, 65 Harristown Road, Suite 207, Glen Rock, New Jersey 07452-3317

517609033 +Fishman Consulting Group, LLC, c/o The Law Office of John A. Fialcowitz, 89 Headquarters Plaza North, Suite 1216, Morristown, New Jersey 07960-6834

517344702 Forman, Holt, Eliades & Youngman LLC, 80 Route 3 Easte, Suite 290, Paramus, NJ 07652

517818040 +George Hellerman, Bankruptcy Specialist, IRS, 955 S. Springfield Ave, Bldg A, Springfield, NJ 07081-3570

517435703 +HSBC Bank USA, N.A., 2929 Walden Avenue C17, Business Services, Depew, NY 14043-2602

517818041 Halpin Stephen, Bankruptcy Section, PO Box 245, Trenton, NJ 08695-0245

517344703 Haven Savings Bank, 621 WashingtonS treet, Hoboken, NJ 07030

517703685 +Houser Engineering, 1141 Greenwood Lake Tpke, Ringwood, NJ 07456-1433

517655708 +Houser Engineering, LLC., 1141 Greenwood Lake Turnpike, Suite C, Ringwood, NJ 07456-1433

517344704 +Hsbc Bank, P.O. Box 2013, Buffalo, NY 14240-2013

517656959 +Isabel Del Corral, 277 Fairfield Road, Fairfield, NJ 07004-1900

517572439 +JCP&L, P.O. Box 16001, Reading, PA 19612-6001

517893287 +Jersey Central Power & Light/First Energy, 101 Crawford Corner Rd Bldg, Suite 511, Holmdel, NJ 07733-1976

517387868 +Lakeland Bank, William L. Waldman, Esq and, Matteo Percontino Esq.K&L Gates LLP, One Newark Center 10th Floor, 1085 Raymond Blvd, Newark, NJ 07102-5237

517344707 +Lakeland Bank, 250 Oak Ridge Road, Oak Ridge, NJ 07438-8998

517388267 Law Office of Forrest S. Turkish, c/o Forrest S. Turkish, Esq., 595 Broadway, Ground Floor, Bayonne, NJ 07002

517818042 Law Office of Forrest Scott Turkish, 595 Broadway, Ground Floor, Bayonne, NJ 07002

517344708 M2 Worldwide, LLC, 706C Myrtle Avenue, Boonton, NJ 07005

517382495 +NJSVS Surcharge Violation System Office, Bankruptcy Unit, PO Box 136, Trenton, NJ 08666-0136

517344709 +New Jersey Attorney General Office, Division of Law, Richard J. Hughes Justice Complex, 25 Market St., PO Box 112, Trenton, NJ 08625-0112

517572440 +Petro Home Services, 15 Richboynton Avenue, Dover, NJ 07801-2649

517703686 +Petro Oil, 15 Richboynton Avenue, Dover, NJ 07801-2649

517344710 +Pioneer Credit Recovery, PO Box 1018, Moorestown, NJ 08057-0018

517344711 +Ralph A. Grieco, P.A., 758 Morris Turnpike, P.O. Box 505, Short Hills, NJ 07078-0505

517656976 +Richard Levinson, 129 Tournament Drive, Monroe Township, NJ 08831-2537

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Form ID: pdf905

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Total Noticed: 85

Date Rcvd: Jan 18, 2019

517407061 ++STATE OF NEW JERSEY, DIVISION OF TAXATION BANKRUPTCY UNIT, PO BOX 245,
TRENTON NJ 08646-0245
(address filed with court: STATE OF NEW JERSEY, DEPARTMENT OF THE TREASURY,
DIVISION OF TAXATION, P.O. BOX 245, TRENTON, NJ 08695-0245)
517344712 +Saul Ewing, LLP, 650 College Road East, Suite 4000, Princeton, NJ 08540-6603
517344713 +Shellpoint Mortgage Servicing, Attn: Bankruptcy, Po Box 10826, Greenville, SC 29603-0826
517344715 +State of New Jersey Division of Taxation, Compliance & Enforcement - Compliance,
50 Barrack Street, 9th Floor, Trenton, NJ 08695-0001
517703687 State of Vermont, Department of Taxes, Montpelier, VT 05633-1401
517655709 +State of Vermont Dept. of Taxes, 133 State Street, Montpelier, VT 05633-0002
517365914 +THE BANK OF NEW YORK MELLON, c/o Gilbert R. Yabes, ALDRIDGE PITE, LLP,
4375 Jutland Drive, Suite 200, P.O. Box 17933, San Diego, CA 92177-7921
517344716 +The Fishman Consulting Group, LLC., 23 Cornwall Drive, Westfield, NJ 07090-1353
517655710 +The Jayson Company, 2150 Stanley Terrace, Union, NJ 07083-4320
517344717 +The Law Offices of John A. Fialcowitz, 89 Headquarters Plaza North, Suite 1216,
Morristown, NJ 07960-6834
517344718 +Tnb-Visa (TV) / Target, C/O Financial & Retail Services, Mailstop BV PO Box 9475,
Minneapolis, MN 55440-9475
517344719 +Townes B. Johnson, III, P.O. Box 9246, Greenville, SC 29604-9246
517703688 +Township of Boonton, Attn: Tax Collector, 155 Powerville Road, Boonton, NJ 07005-8729
517395021 +VW Credit Leasing, Ltd, c/o VW Credit, Inc., PO Box 9013, Addison, Texas 75001-9013
517369185 +VW Credit, Inc., PO Box 9013, Addison, Texas 75001-9013
517818043 +Volkswagen Credit, Inc., PO Box 9013, Addison, TX 75001-9013
517392181 +Wells Fargo Bank, N.A., Small Business Lending Division, P.O. Box 29482,
Phoenix, AZ 85038-9482
517818044 +Wells Fargo Bank, NA, Small Business Lending Division, PO Box 29482,
Phoenix, AZ 85038-9482
517818045 +Yapstone, 2121 N. California Blvd, Suite 400, Walnut Creek, CA 94596-7305

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
smg E-mail/Text: usanj.njbankr@usdoj.gov Jan 18 2019 21:58:42 U.S. Attorney, 970 Broad St.,
Room 502, Rodino Federal Bldg., Newark, NJ 07102-2534

smg +E-mail/Text: ustpregion03.ne.ecf@usdoj.gov Jan 18 2019 21:58:42 United States Trustee,
Office of the United States Trustee, 1085 Raymond Blvd., One Newark Center, Suite 2100,
Newark, NJ 07102-5235
517600891 E-mail/Text: bkr@cardworks.com Jan 18 2019 21:58:28 Advanta Bank Corporation,
Resurgent Capital Services, PO Box 10368, Greenville, SC 29603-0368
517344690 +E-mail/Text: bkr@cardworks.com Jan 18 2019 21:58:28 Advanta Bk, Welsh and McKean Roads,
Po Box 844, Spring House, PA 19477-0844
517344694 +E-mail/Text: bkmailbayview@bayviewloanservicing.com Jan 18 2019 21:58:48
Bayview Financial Loan, Attn: Customer Service Dept, 4425 Ponce De Leon Blvd, 5th Floor,
Miami, FL 33146-1873
517344695 +E-mail/PDF: AIS.cocard.ebn@americaninfosource.com Jan 18 2019 22:00:58 Capital One,
Attn: General Correspondence/Bankruptcy, Po Box 30285, Salt Lake City, UT 84130-0285
517441320 E-mail/PDF: AIS.cocard.ebn@americaninfosource.com Jan 18 2019 22:00:48
Capital One Bank (USA), N.A., PO Box 71083, Charlotte, NC 28272-1083
517600521 +E-mail/PDF: EBN_AIS@AMERICANINFOSOURCE.COM Jan 18 2019 22:00:50 Directv, LLC,
by American InfoSource LP as agent, 4515 N Santa Fe Ave, Oklahoma City, OK 73118-7901
517344705 +E-mail/Text: mosborn@infusioncapitalgroup.com Jan 18 2019 21:58:28 Infusion Capital Group,
c/o Osborn Financial Group, LLC., 1000 Johnnie Dodds Blvd., Suite 103-302,
Mount Pleasant, SC 29464-3135
517344706 +E-mail/Text: cio.bncmail@irs.gov Jan 18 2019 21:58:33 Internal Revenue Service,
PO Box 7346, Philadelphia, PA 19101-7346
517344714 +Fax: 516-933-1697 Jan 18 2019 22:09:25 Slowins, Inc., 125 Lauman Lane,
Hicksville, NY 11801-6539
517843554 +E-mail/PDF: EBN_AIS@AMERICANINFOSOURCE.COM Jan 18 2019 22:01:01 TD Bank, USA,
by American InfoSource as agent, 4515 N Santa Fe Ave, Oklahoma City, OK 73118-7901
517611473 +E-mail/Text: bkmailbayview@bayviewloanservicing.com Jan 18 2019 21:58:48
THE BANK OF NEW YORK MELLON, c/o Bayview Loan Servicing, LLC,
4425 Ponce De Leon Blvd., 5th Floor, Coral Gables, FL 33146-1837
517344720 +E-mail/Text: usanj.njbankr@usdoj.gov Jan 18 2019 21:58:42 United States Attorney,
Peter Rodino Federal Building, 970 Broad St. - Ste. 700, Newark, NJ 07102-2527
517860269 +E-mail/Text: ustpregion03.ne.ecf@usdoj.gov Jan 18 2019 21:58:42 United States Trustee,
One Newark Center, Suite 2100, Newark, NJ 07102-5235
517344721 +E-mail/Text: vci.bkcy@vwcredit.com Jan 18 2019 21:58:45 Volkswagen Credit, Inc, Po Box 3,
Hillsboro, OR 97123-0003

TOTAL: 16

***** BYPASSED RECIPIENTS (undeliverable, * duplicate) *****

517472432* American Express National Bank, c/o Becket and Lee LLP, PO Box 3001,
Malvern PA 19355-0701
517385028* +VW Credit, Inc., PO Box 9013, Addison, Texas 75001-9013

TOTALS: 0, * 2, ## 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

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User: admin
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Total Noticed: 85

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***** BYPASSED RECIPIENTS (continued) *****

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Addresses marked '++++' were corrected as required by the USPS Locatable Address Conversion System (LACS).

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Jan 20, 2019

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on January 17, 2019 at the address(es) listed below:

Anthony Sodono, III on behalf of Defendant Michael Kalfus asodono@msbnj.com
Anthony Sodono, III on behalf of Defendant Robin Kalfus asodono@msbnj.com
Anthony Sodono, III on behalf of Defendant Michael and Robin Kalfus asodono@msbnj.com
Anthony Sodono, III on behalf of Joint Debtor Robin Kalfus asodono@msbnj.com
Anthony Sodono, III on behalf of Debtor Michael Kalfus asodono@msbnj.com
Charles G. Wohlrab on behalf of Creditor THE BANK OF NEW YORK MELLON FKA THE BANK OF NEW YORK, AS TRUSTEE (CWALT 2005-J9) cwohlab@logs.com, njbankruptcynotifications@logs.com
Charles Michael Rowan on behalf of Creditor Albert Kenney mrowan@saull.com
Christian Del Toro on behalf of Creditor Haven Savings Bank cdeltoro@martonelaw.com, mrozea@leopoldassociates.com; bky@martonelaw.com
David Gerardi on behalf of U.S. Trustee U.S. Trustee david.gerardi@usdoj.gov
Denise E. Carlon on behalf of Creditor VW Credit Leasing, Ltd dcarlon@kmlawgroup.com, bkgroup@kmlawgroup.com
Forrest Scott Turkish on behalf of Attorney Forrest Turkish fsturkish@aol.com
Frank J Martone on behalf of Creditor Haven Savings Bank bky@martonelaw.com
Guillermo Gonzalez on behalf of Joint Debtor Robin Kalfus ggonzalez@scuramealey.com, ecfbkfilings@scuramealey.com; tscialla@scuramealey.com; mmack@scura.com; jesposito@scuramealey.com
Guillermo Gonzalez on behalf of Debtor Michael Kalfus ggonzalez@scuramealey.com, ecfbkfilings@scuramealey.com; tscialla@scuramealey.com; mmack@scura.com; jesposito@scuramealey.com
John O'Boyle on behalf of Plaintiff Osborn Financial Group, LLC joboyle@norgaardfirm.com, sferreira@norgaardfirm.com; l84grandno@gmail.com; kcimmimo@norgaardfirm.com
John A. Fialcowitz on behalf of Plaintiff Fishman consulting group, llc john@fialcowitzlaw.com
Joseph L. Schwartz on behalf of Interested Party The County of Morris, Morris County Sheriff's Office jschwartz@riker.com, mtrentin@riker.com
Joseph R Zapata, Jr. on behalf of Trustee Steven P. Kartzman jzapata@msklaw.net
Mark E. Hall on behalf of Mediator Mark Hall mhall@foxrothschild.com, cbrown@foxrothschild.com
Matteo Percontino on behalf of Creditor Lakeland Bank matteo.percontino@klgates.com, matteo.percontino@klgates.com
Melissa S DiCerbo on behalf of Creditor THE BANK OF NEW YORK MELLON FKA THE BANK OF NEW YORK, AS TRUSTEE (CWALT 2005-J9) nj-ecfmail@mw-c-law.com, nj-ecfmail@ecf.courtdrive.com
Rebecca Ann Solarz on behalf of Creditor VW Credit Leasing, Ltd rsolarz@kmlawgroup.com
Steven P. Kartzman kartztee@optonline.net, jzapata@msklaw.net; njl6@ecfcbis.com; jloewenstein@msklaw.net
Steven P. Kartzman on behalf of Trustee Steven P. Kartzman kartztee@optonline.net, jzapata@msklaw.net; njl6@ecfcbis.com; jloewenstein@msklaw.net
U.S. Trustee USTPRegion03.NE.ECF@usdoj.gov
William L. Waldman on behalf of Creditor Lakeland Bank william.waldman@klgates.com, waldmanw@aol.com

TOTAL: 26